

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF GEORGIA - ATLANTA DIVISION

3
4 IN RE MATTER OF:)
5 W.K., E.H., M.M., R.P., M.B.,) CIVIL ACTION FILE
6 D.P., A.F., C.A., R.K., K.P.,) NO. 1:20-cv-5263-MHC
7 and T.H.,)

8 Plaintiffs,)
9 vs.) VIDEOTAPED DEPOSITION OF
10 RED ROOF INNS, INC., FMW RRI) WESTMONT HOSPITALITY
11 NC, LLC, RED ROOF FRANCHISING,) GROUP, INC., PMK -
12 LLC, RRI WEST MANAGEMENT, LLC,) BRIANNE AUSTIN
13 VARAHI HOTEL, LLC, WESTMONT)
14 HOSPITALITY GROUP, INC., and) SAN DIEGO, CALIFORNIA
15 RRI III, LLC,) TUESDAY, MAY 17, 2022
16 Defendants.)

17 JANE DOE 1-4,)
18 Plaintiffs,) CIVIL ACTION FILE
19 vs.) NO. 1:21-cv-4278-WMR
20 RED ROOF INNS, INC., et al.,)
21 Defendants.)

PL Sum. J.

Ex. 033

22 Stenographically Reported by:

23 HEATHER J. BAUTISTA, CSR, CRR, RPR, CLR
24 Realtime Systems Administrator
25 California CSR License #11600
Oregon CSR License #21-0005
Washington License #21009491
Nevada CCR License #980
Texas CSR License #10725

26 Job No.: 115845

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE NORTHERN DISTRICT OF GEORGIA - ATLANTA DIVISION

3 IN RE MATTER OF:)
) CIVIL ACTION FILE

4 W.K., E.H., M.M., R.P., M.B.,) NO. 1:20-cv-5263-MHC
D.P., A.F., C.A., R.K., K.P.,)
5 and T.H.,)
)

6 Plaintiffs,)
) VIDEOTAPED DEPOSITION OF

7 vs.) WESTMONT HOSPITALITY
) GROUP, INC., PMK -

8 RED ROOF INNS, INC., FMW RRI) BRIANNE AUSTIN
NC, LLC, RED ROOF FRANCHISING,)
9 LLC, RRI WEST MANAGEMENT, LLC,)
VARAHI HOTEL, LLC, WESTMONT) SAN DIEGO, CALIFORNIA

10 HOSPITALITY GROUP, INC., and)
RRI III, LLC,) TUESDAY, MAY 17, 2022
11)
12 Defendants.)
_____)
)

13 JANE DOE 1-4,)
) CIVIL ACTION FILE

14 Plaintiffs,) NO. 1:21-cv-4278-WMR
)

15 vs.)
)

16 RED ROOF INNS, INC., et al.,)
)

17 Defendant.)
)

19 VIDEOTAPED DEPOSITION of WESTMONT HOSPITALITY
20 GROUP, INC., PMK - BRIANNE AUSTIN, taken before Heather
21 J. Bautista, CSR No. 11600, a Certified Shorthand
22 Reporter for the state of California, with principal
23 office in the county of Santa Clara, commencing on
24 Tuesday, May 17, 2022, 9:09 a.m., at 550 W. C Street,
25 Suite 1700, San Diego, California 92101.

1 APPEARANCES OF COUNSEL:

2 For Plaintiffs:

3 Bondurant Mixson & Elmore LLP
 4 BY: TIANA S. MYKKELTVEDT, ESQ.
 AMANDA KAY SEALS, ESQ.
 One Atlantic Center
 5 1201 West Peachtree Street NW, Suite 3900
 Atlanta, Georgia 30309
 6 Phone: (404) 881-4144 / Fax: (404) 881-4111
 mykkeltvedt@bmelaw.com
 7 seals@bmelaw.com

8
 9 For Defendants RED ROOF INNS, INC.; WESTMONT
 HOSPITALITY GROUP, INC.; FMW RRI NC, LLC; RRI, LLC; RRI
 WEST MANAGEMENT, LLC; and RED ROOF FRANCHISING, LLC:

10 Lewis Brisbois Bisgaard & Smith LLP
 11 BY: ADI ALLUSHI, ESQ.
 LILLIAN HENRY, ESQ. (Remote)
 12 Bank of America Plaza
 600 Peachtree Street NE, Suite 4700
 13 Atlanta, Georgia 30308
 Phone: (404) 348-8585 / Fax: (404) 467-8845
 14 adi.allushi@lewisbrisbois.com
 lillian.henry@lewisbrisbois.com

15 Lewis Brisbois Bisgaard & Smith LLP
 16 BY: CHRISTIAN NOVAY, ESQ.
 550 West Adams Street, Suite 300
 17 Chicago, Illinois 60661
 Phone: (312) 463-3428 / Fax: (312) 345-1778
 18 christian.novay@lewisbrisbois.com

19 For Defendant VARAHI HOTEL:

20 Hawkins Parnell & Young LLP
 21 BY: C. SHANE KEITH, ESQ. (Remote)
 303 Peachtree Street NE, Suite 4000
 Atlanta, Georgia 30308-3243
 22 Phone: (404) 614-7464 / Fax: (404) 614-7500
 skeith@hpylaw.com

24 ALSO PRESENT: Robert Wallace, Videographer
 25 Beth Richardson, Paralegal (Remote)

1 partnership from," and then it goes on.

2 A. Um-hum.

3 Q. Do you see that?

4 A. I do.

5 Q. And did you want to take a minute to look
6 through that?

7 A. No. Go ahead.

8 Q. Okay.

9 And then if you turn the page to Westmont 2512,
10 could you read the definition titled "Westmont
11 Hospitality Group," please.

12 MR. ALLUSHI: Objection.

13 THE WITNESS: "Westmont Hospitality Group means
14 the group of entities that are owned or controlled
15 directly or indirectly by one or more of Majid Mangalji,
16 Fereed Mangalji, and Moez Mangalji."

17 Q. (By Ms. Mykkeltvedt) Thank you.

18 And let's turn a little further back. It's
19 section -- it says "Page 60" at the bottom,
20 Westmont 2561. And do you see where -- it's a section
21 about sending notices and consents, and it says: "If to
22 the general partner, WRRH GEN-PAR, LLC, Care Of Westmont
23 Hospitality Group, 5847 San Felipe, Suite 4650, Houston,
24 Texas 77057."

25 Did I read that correctly?

1 A. Yes.

2 Q. And is that the same Houston, Texas, address
3 that we discussed earlier?

4 A. It is.

5 Q. Okay.

6 And that's where you went for the Christmas
7 party; correct?

8 A. It is.

9 Q. Okay.

10 MR. ALLUSHI: Objection.

11 Q. (By Ms. Mykkeltvedt) If you flip the page to
12 Page 61 where it says: "If to Westbridge, WRRH Holding,
13 LP, Care Of Westmont Hospitality, 5847 San Felipe, Suite
14 4650, Houston, Texas 77057," is that also the same
15 Houston, Texas, address?

16 MR. ALLUSHI: Objection.

17 THE WITNESS: It is.

18 Q. (By Ms. Mykkeltvedt) Okay.

19 Let's flip to Page Westmont 2573. It's a
20 little further back. I'm sorry. I wish I could give
21 you more specific direction. Oh. You found it.

22 On the left-hand side, on Page Westmont 2572 --
23 oh, no. Scratch that.

24 Let's flip back to 2569. Sorry. I'm all over
25 the place.

1 I, HEATHER J. BAUTISTA, CSR No. 11600, Certified
2 Shorthand Reporter, certify:

3 That the foregoing proceedings were taken before
4 me at the time and place therein set forth, at which
5 time the witness declared under penalty of perjury; that
6 the testimony of the witness and all objections made at
7 the time of the examination were recorded
8 stenographically by me and were thereafter transcribed
9 under my direction and supervision;

10 That the foregoing is a full, true, and correct
11 transcript of my shorthand notes so taken and of the
12 testimony so given;

13 () Reading and signing was requested/offered.

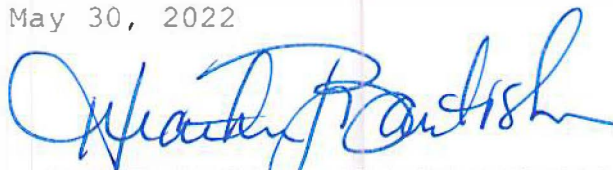
14 (XX) Reading and signing was not requested/offered.

15 () Reading and signing was waived.

16 I further certify that I am not financially
17 interested in the action, and I am not a relative or
18 employee of any attorney of the parties, nor of any of
19 the parties.

20 I declare under penalty of perjury under the laws
21 of California that the foregoing is true and correct.

22
23 Dated: May 30, 2022

24 
25

HEATHER J. BAUTISTA, CSR, CRR, RPR, CLR 143